

# ASSEMBLY, No. 4787

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 11, 2017

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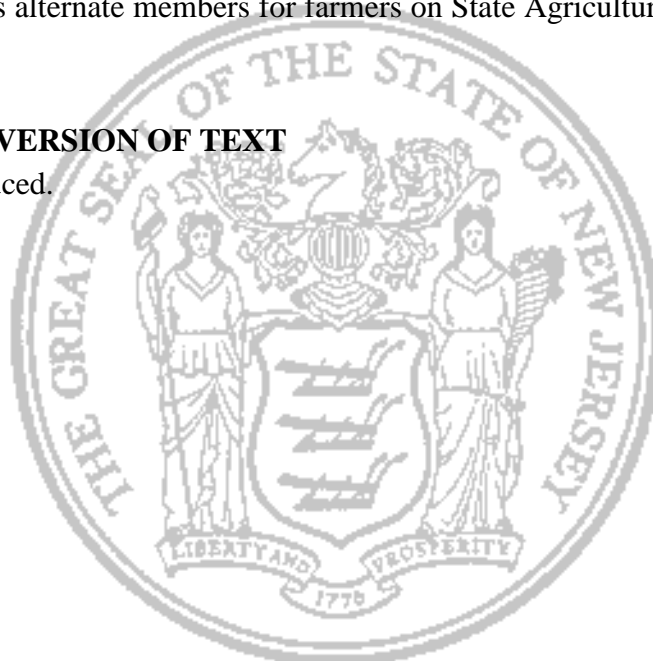
**Assemblyman Dancer**

**SYNOPSIS**

Authorizes alternate members for farmers on State Agriculture Development Committee.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/6/2017)

1 AN ACT concerning membership of the State Agriculture  
2 Development Committee and amending P.L.1983, c.31.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 4 of P.L.1983, c.31 (C.4:1C-4) is amended to read as  
8 follows:

9 4. a. In order that the State's regulatory action with respect to  
10 agricultural activities may be undertaken with a more complete  
11 understanding of the needs and difficulties of agriculture, there is  
12 established in the Executive Branch of the State Government a  
13 public body corporate and politic, with corporate succession, to be  
14 known as the State Agriculture Development Committee. For the  
15 purpose of complying with the provisions of Article V, Section IV,  
16 paragraph 1 of the New Jersey Constitution, the committee is  
17 allocated within the Department of Agriculture, but,  
18 notwithstanding that allocation, the committee shall be independent  
19 of any supervision or control by the State Board of Agriculture, by  
20 the department or by the secretary or any officer or employee  
21 thereof, except as otherwise expressly provided in this act. The  
22 committee shall constitute an instrumentality of the State,  
23 exercising public and essential governmental functions, and the  
24 exercise by the committee of the powers conferred by this or any  
25 other act shall be held to be an essential governmental function of  
26 the State.

27 b. The committee shall consist of 11 members, five of whom  
28 shall be the Secretary of Agriculture, who shall serve as chairman,  
29 the Commissioner of Environmental Protection, the Commissioner  
30 of Community Affairs, the State Treasurer and the Dean of Cook  
31 College, Rutgers University, or their designees, who shall serve ex  
32 officio, and six citizens of the State, to be appointed by the  
33 Governor with the advice and consent of the Senate, four of whom  
34 shall be actively engaged in farming, the majority of whom shall  
35 own a portion of the land that they farm, and two of whom shall  
36 represent the general public. With respect to the members actively  
37 engaged in farming, the State Board of Agriculture shall  
38 recommend to the Governor a list of potential candidates and their  
39 alternates to be considered for each appointment.

40 c. (1) Of the six members first to be appointed, two shall be  
41 appointed for terms of **[2]** two years, two for terms of **[3]** three  
42 years and two for terms of **[4]** four years. Thereafter, all  
43 appointments shall be made for terms of **[4]** four years. Each of  
44 these members shall hold office for the term of the appointment and

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 until a successor shall have been appointed and qualified. A  
2 member shall be eligible for reappointment for no more than two  
3 consecutive terms. Any vacancy in the membership occurring other  
4 than by expiration of term shall be filled in the same manner as the  
5 original appointment but for the unexpired term only.

6 (2) When an appointed member actively engaged in farming  
7 notifies the chairman that the member is unable to attend a publicly  
8 noticed meeting, an alternate may be chosen to serve for that  
9 member at the meeting. The alternate member shall be (a) chosen  
10 by the President, in consultation with the Vice President, of the  
11 State Board of Agriculture, and (b) a past member of the State  
12 Board of Agriculture who served pursuant to R.S.4:1-4, provided,  
13 however, that in no case shall the alternate member have been  
14 removed from office pursuant to section 3 of P.L.1948, c.447  
15 (C.4:1-4.1), or a past member of the State Agriculture Development  
16 Committee.

17 d. Members of the committee shall receive no compensation  
18 but the appointed members may, subject to the limits of funds  
19 appropriated or otherwise made available for these purposes, be  
20 reimbursed for expenses actually incurred in attending meetings of  
21 the committee and in performance of their duties as members  
22 thereof.

23 e. The committee shall meet at the call of the chairman as soon  
24 as may be practicable following appointment of its members and  
25 shall establish procedures for the conduct of regular and special  
26 meetings, including procedures for the notification of departments  
27 of State regulating the activities of commercial agriculture,  
28 provided that all meetings are conducted in accordance with the  
29 provisions of the "Senator Byron M. Baer Open Public Meetings  
30 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

31 f. A true copy of the minutes of every meeting of the  
32 committee shall be prepared and forthwith delivered to the  
33 Governor. No action taken at such meeting by the commission shall  
34 have force or effect until 15 days, exclusive of Saturdays, Sundays  
35 and public holidays, after such copy of the minutes shall have been  
36 so delivered. If, in said 15-day period, the Governor returns such  
37 copy of the minutes with a veto of any action taken by the  
38 commission at such meeting, such action shall be null and void and  
39 of no force and effect.

40 g. The department shall provide any personnel that may be  
41 required as staff for the committee.

42 (cf: P.L.1983, c.31, s.4)

43  
44 2. This act shall take effect immediately.

STATEMENT

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This bill would amend the law designating the membership of the State Agriculture Development Committee (SADC) to allow for alternate members, in the absence at an SADC meeting of one of the four appointed members who are actively engaged in farming.

Currently, the SADC consists of 11 members, including six citizens of the State, appointed by the Governor with the advice and consent of the Senate, four of whom are actively engaged in farming, and two of whom represent the general public. This bill would allow, in the absence of an appointed member actively engaged in farming at a publicly noticed meeting, an alternate member to be chosen to serve for that member at the meeting. The alternate member would (1) be chosen by the President, in consultation with the Vice President, of the State Board of Agriculture, and (2) be a past member of the State Board of Agriculture, who had not been removed from office for cause, or a past member of the SADC. This bill is intended to ensure that farmers remain represented on the SADC even in the absence of one of the appointed members.